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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 ORIYON ABRAHA,

10 Plaintiff,

No. C06-379Z

11 v.

ORDER

12 CITY OF SEATTLE, et al.,

13 Defendants.

14 The Court declines to sign the proposed protective order, docket no. 21. The Court
15 will not sign stipulated protective orders to authorize documents to be filed under seal simply
16 based on the fact that they were marked by the parties as confidential in the course of
17 discovery. “There is a strong presumption of public access to the court’s files and records
18 which may be overcome only on a compelling showing that the public’s right of access is
19 outweighed by the interests of the public and the parties in protecting files, records, or
20 documents from public review.” Local Rule CR 5(g)(1).

21 Parties seeking an order to seal any documents must provide a specific description of
22 particular documents or categories of documents they seek to protect and “*a clear statement*
23 *of the facts* justifying a seal and overcoming the strong presumption in favor of public
24 access.” Local Rule CR 5(g)(2) (emphasis added). The facts supporting any motion to seal
25 must be provided by declaration or affidavit. To obtain a court order sealing documents
26 attached to a **non-dispositive motion**, the parties must make a particularized showing under

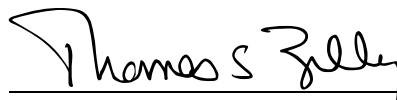
1 the “good cause” standard of FED. R. CIV. P. 26(c). See Kamakana v. City and County of
2 Honolulu, 447 F.3d 1172, 1179 (9th Cir. 2006). To obtain a court order sealing documents
3 attached to a **dispositive motion**, such as a summary judgment motion, the parties must meet
4 a “compelling reasons” standard and not the lesser “good cause” standard. Id. at 1177-79;
5 Foltz v. State Farm Mut. Auto. Ins. Co., 331 F.3d 1122, 1136 (9th Cir. 2003).

6 Effective July 24, 2006, whenever a party files a SEALED MOTION or SEALED
7 DOCUMENT, the District Court ECF system will require that you refer to a prior entry.
8 The choices will be: (1) an ORDER that authorizes filing under seal, (2) a MINUTE ENTRY
9 authorizing filing under seal, or, (3) a MOTION TO SEAL in which you have requested the
10 subsequently filed sealed document be allowed to remain under seal. If none of these items
11 exist on the docket, you will not be able to proceed. The District Court ECF system will no
12 longer allow you to file a document under seal without linking your sealed document or
13 motion to one of the above.

14 The parties may agree on confidentiality among themselves, but when they ask that
15 the Court be involved, they must make the requisite showing and comply with the ECF
16 system requirements for filing sealed documents. The stipulated protective order received by
17 the Court will remain on the docket, but will not be signed and entered by the Court in its
18 present form.

19 IT IS SO ORDERED.

20 DATED this 27th day of July, 2006.

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23 Thomas S. Zilly
24 United States District Judge
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